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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/164,429	09/30/1998	WING-KUEN CHUNG	081862.P112	6657

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EXAMINER

HARPER, KEVIN C

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 12/21/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/164,429

Applicant(s)

CHUNG ET AL.

Examiner

Kevin C. Harper

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 September 1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-7, 9-10, 22-25, 27-28, 35-38 and 40-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (US 6,118,864).

1. Regarding claims 1, 22 and 35, Chang discloses a method for providing a ringing timeout disconnect for remote telephone extensions (Figure 5B, steps 130, 160, 164, 136-144 and 148; col. 16, lines 25-27; col. 15, lines 19-22; note: ring-no-answer call forwarding; col. 17, lines 43-46). The method comprises providing a time limit (Figure 5B, step 148; note: ring-no-answer) for a first ringing voltage signal (Figure 2B, item 72d; col. 10, lines 1-10) in response to an attempted call using VOPS (Figure 1A), ceasing generation of the first ringing voltage signal upon expiration of the time limit (Figure 5B, step 156), and transmitting a control message via the VOPS to terminate the attempted call (col. 16, lines 60-66).

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2. Regarding claims 2-7, 9, 23-25, 27-28, 36-38 and 40-41, the call may be placed from an outside location (such as a PSTN) to a PBX and then forwarded to a third network using VOPS (Figure 5B, steps 130, 160, 164-166, 134-144, 148, 152 and 156; col. 17, lines 43-46 and line 62-67).
3. Regarding claims 10 and 42, the second switch system is preconfigured to select the receiving telephone interface (Figure 5B, steps 160 and 164; col. 17, lines 30-33).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 8, 11-21, 26, 29-34, 39 and 43-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (US 6,118,864).

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4. Regarding claims 8 and 26, Chang does not disclose that the second network is placed in an on-hook state and the first telephone interface is released in response to a ring-no-answer (i.e. timeout) condition. One skilled in the art would recognize that a ring-no-answer provides several outcomes such as call forwarding to voice mail or another telephone extension, or disconnecting the call after a certain duration. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to release the first telephone interface and place the second network in an on-hook state in the invention of Chang as a matter of design choice.

5. Regarding claims 11, 29 and 39, Chang does not disclose using a timer that comprises configurable and fixed timers. One skilled in the art would recognize that the number of rings used to determine ring-no-answer is preferably set to a specified value due to user preference. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have variable and/or fixed timers to determine the number of rings for ring-no-answer in the invention of Chang as a matter of design choice.

6. Regarding claim 12, 20, 30 and 43, Chang does not disclose routing a data stream of integrated traffic comprising data, voice, video, LAN-based and facsimile traffic and multiplexing a packetized data stream onto a configurable trunk. One skilled in the art would recognize that different types of data is multiplexed onto a network connection. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to multiplex voice data and other data onto a network connection in the invention of Chan in order to support multiple data types within the network.

7. Regarding claims 13-14, 31-32 and 44-45, the wide area packet data network is the Internet (col. 3, lines 35-38).

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8. Regarding claim 15 and 46, Chang does not disclose routing different media types separately. One skilled in the art would recognize that at network gateways different types of media are typically separated from other media types in order to favorably route the particular data packets to a destination. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to route media types separately in the invention of Chang.
9. Regarding claims 16, 21 and 47, Chang does not disclose compressing voice signals. One skilled in the art would recognize that voice signals are typically compressed. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to transmit compressed audio signals in the invention of Chang in order to save on bandwidth resources in a network.
10. Regarding claims 17-19, 33-34 and 48-49, Chang does not disclose configuring a trunk. One skilled in the art would recognize that channels are assigned based on availability. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a configurable trunk in the invention of Chang in order to allocate and unallocate network resources for a call. Further regarding claim 18, Chang does not disclose drop/insert pass-through of unprocessed PSTN traffic. One skilled in the art would recognize that there are several ways to combine and separate PSTN traffic. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to use drop-insert (add-drop) pass-through of PSTN traffic in the invention of Chang.

### *Conclusion*

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 703-305-0139. The examiner can normally be reached weekdays, except Wednesday, from 8:00 AM to 6:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached at 703-305-4366. The fax phone number for Technology Center (TC) 2600 is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office for TC 2600 at 703-306-0377.

Kevin C. Harper



December 15, 2001



HUY D. VU  
PRIMARY EXAMINER